

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

## FORTUNA GEBRU FKADU,

Plaintiff,

V.

KIDANE TESFAY,

Defendant.

CASE NO. C21-00318-LK

## ORDER ON REVIEW OF MOTION FOR RECUSAL

On January 20, 2022, Defendant Kidane Tesfay filed a Motion seeking the recusal of the Honorable Lauren King in this matter. Dkt. #34. Judge King declined to recuse and, in accordance with this Court's Local Rules, that decision was referred to the Chief Judge for review. *See* Dkt. #39; LCR 3(f).

A judge of the United States shall disqualify herself in any proceeding in which her impartiality “might reasonably be questioned.” 28 U.S.C. § 455(a). Federal judges also shall disqualify themselves in circumstances where they have a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceeding. 28 U.S.C. § 455(b)(1). Pursuant to 28 U.S.C. § 144, “whenever a party to any proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse

1 party, such judge shall proceed no further therein, but another judge shall be assigned to hear  
2 such proceeding.” “[A] judge’s prior adverse ruling is not sufficient cause for recusal.” *United*  
3 *States v. Studley*, 783 F.2d 934, 939 (9th Cir. 1986); *see also Taylor v. Regents of Univ. of Cal.*,  
4 993 F.2d 710, 712 (9th Cir. 1993) (“To warrant recusal, judicial bias must stem from an  
5 extrajudicial source.”).

6 Defendant Tesfay seeks recusal of Judge King by requesting “to keep the original  
7 assigned judge in the case.” Dkt. #34 at 1. Defendant Tesfay is apparently suspicious of the  
8 Court’s reassignment of this case and suspects that “[t]here is a high possibility that plaintiff  
9 attorney has some sort of relationship with the new judge’s office but not honest about it.” *Id.* at  
10 5. Defendant Tesfay points to the fact that Plaintiff’s attorney has been practicing law in the  
11 Seattle area, same as Judge King. *Id.* at 3.

12 The connection is entirely speculative, and a judge practicing law in the same district as  
13 counsel for a party does not demonstrate bias. The Court agrees with Judge King’s analysis.  
14 There is no basis to find that Judge King’s impartiality “might reasonably be questioned.”

15 Accordingly, the Court hereby finds and ORDERS that Judge King’s refusal to recuse  
16 from this matter is AFFIRMED.

17 DATED this 24<sup>th</sup> day of March, 2022.

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20 RICARDO S. MARTINEZ  
21 CHIEF UNITED STATES DISTRICT JUDGE  
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